

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-cr-20484

Hon. Matthew F. Leitman

v.

LORENZO A. PACHECO,

Defendant.

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**ORDER DENYING DEFENDANT’S MOTION TO DISMISS (ECF No. 19.)**

On October 7, 2020, Lorenzo A. Pacheco was indicted on charges of Felon in Possession of Ammunition under 18 U.S.C. § 922(g)(1), Felon in Possession of a Firearm under 18 U.S.C. § 922(g)(1), and Possession of Unregistered Short-Barreled Shotgun under 26 U.S.C. § 5861(d). (*See* Indictment, ECF No. 1.) On December 3, 2020, the Court appointed counsel for Pacheco. (*See* Notice of Appearance, ECF No. 18.) Although Pacheco is represented by counsel, he filed a *pro se* Motion to Dismiss on December 8, 2020. (*See* Mot., ECF No. 19.) In this motion, Pacheco seeks dismissal of the indictment on the ground his prosecution is barred by the Tenth Amendment. (*See id.*) As presented by Pacheco, this argument has no merit. For that reason, Pacheco’s Motion to Dismiss is **DENIED**.

However, if Pacheco's appointed counsel believes there is merit to this argument, and that it can be further developed, counsel may renew the motion and support it with additional legal authority.

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: December 17, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 17, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764